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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 GARY MINOR and BANIPAL SHABAZ, as
18 individuals and on behalf of all others similarly
situated,

19 Plaintiffs,
20 vs.

21 FEDEX OFFICE AND PRINT SERVICES,
21 INC., a corporation,

22 Defendant.

CASE NO. C 09-01375 TEH

**NOTICE OF SETTLEMENT; JOINT
STIPULATION AND [PROPOSED] ORDER
TO VACATE CASE MANAGEMENT
CONFERENCE AND SET DEADLINE FOR
PLAINTIFFS' FILING FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 **ADDITIONAL PLAINTIFFS' COUNSEL:**

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21 and Michael Macias

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STIPULATION

Plaintiffs Gary Minor, Banipal Shabaz, Narek Eloyan, Shehan Bederian and Michael Macias (collectively “Plaintiffs”) and Defendant FedEx Office and Print Services, Inc. (“Defendant”) (collectively “the Parties”), stipulate and agree as follows:

WHEREAS, on December 12, 2011 the Parties had a full day mediation session with private mediator Michael Dickstein, Esq. in San Francisco, California, at which the Parties were not able to settle the case but agreed to continue settlement discussions;

WHEREAS, the Parties since the last mediation session continued settlement discussions through mediator Dickstein as well as through direct discussions;

WHEREAS, on April 11, 2012, the Parties reached a settlement in principle in this matter based on the general terms discussed at the mediation and based on further discussions and proposals made by the Parties and by mediator Dickstein and have executed a binding Memorandum of Understanding resolving this matter on a class-wide basis;

WHEREAS, this case currently is scheduled for a Case Management Conference on April 16, 2012 (“the Case Management Conference”);

WHEREAS, the Parties previously requested and were granted an extension of the Case Management Conference to allow for settlement discussions to take place including the December 12, 2011 mediation, which has now resulted in the settlement of this matter;

WHEREAS, the Parties, accordingly, believe it would conserve judicial resources and promote efficiency to vacate the Case Management Conference in light of the resolution of this case;

WHEREAS, the Parties have agreed that Plaintiffs' Motion for Preliminary Approval Class Action Settlement shall be filed on or before August 1, 2012, and shall be set for hearing in accord with the Local Rules and based on the availability of the Court;

WHEREAS, there is no trial date set for this case;

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IT IS HEREBY STIPULATED by the Parties herein, through their counsel of record, as follows:

The Case Management Conference shall be vacated and Plaintiffs' Motion for Preliminary Approval of Class Action Settlement shall be filed on or before August 1, 2012.

DATED: April 12, 2012

LAW OFFICES OF PETER M. HART

By: /s/ Amber S. Healy
Peter M. Hart
Amber S. Healy
Attorney for Plaintiffs

DATED: April 12, 2012

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Thomas McInerney
Thomas McInerney
Gregory C. Cheng
Attorneys for Defendant FEDEX OFFICE AND
PRINT SERVICES, INC

[PROPOSED] ORDER

The parties having so stipulated, and GOOD CAUSE APPEARING THEREFORE, IT
IS HEREBY ORDERED that:

The Case Management Conference set for April 16, 2012, at 1:30 p.m. is VACATED. Plaintiffs' shall file their Motion for Preliminary Approval for Class Action Settlement on or before August 1, 2012.

DATED: _____

Hon. Thelton E. Henderson
Judge, United States District Court